

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Application No.: 10/531,890
Filing Date: November 28, 2005
Applicant: Richard Norman Johnson
Confirmation No.: 6109
Group Art Unit: 1794
Examiner: Timothy M. Speer
Title: THERMALLY CONDUCTIVE EMI SHIELD
Attorney Docket: 9062-000174/US/NP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

Sir:

Attached for the Examiner's consideration is an English translation of the July 2, 2009 Decision of Rejection from pending Japanese national phase application No. 2004-546972 previously filed with the USPTO on July 20, 2009. As previously noted, Japanese national phase application No. 2004-546972 has the same inventor Richard Norman Johnson as the instant application, and is also related to the instant application through a priority claim. Applicant makes no representation as to the accuracy of this translation.

In addition, Applicant does not believe that any fee is due for this filing as the July 2, 2009 Japanese Decision of Rejection was filed before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution; and

the undersigned previously certified that the July 2, 2009 Japanese Decision of Rejection was from a foreign patent office (i.e., Japanese patent office) in a counterpart

foreign application (i.e., Japanese national phase application No. 2004-546972) which was received not more than three months prior to that filing (See 37 C.F.R. § 1.97(e)(1))

This filing is being made only in the interest of candor and without any admission that it contains statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, the filing of this letter shall not be construed as a representation that a search has been made.

Respectfully submitted,

/Anthony G. Fussner/

Dated: August 10, 2009

By: _____
Anthony G. Fussner
Reg. No. 47,582

Harness, Dickey & Pierce, P.L.C.
7700 Bonhomme, Ste. 400
St. Louis, MO 63105
(314) 726-7500
(314) 726-7501 (facsimile)